

BEFORE THE TENNESSEE REGULATORY AUTHORITY

NASHVILLE, TENNESSEE

March 26, 2003

IN RE:

**PETITION OF BUYERS UNITED
INTERNATIONAL, INC. FOR
APPROVAL TO CONTINUE TO
PROVIDE INTRASTATE SERVICE**

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**DOCKET NO.
02-01103**

**ORDER GRANTING AUTHORITY TO
RESELL TELECOMMUNICATIONS SERVICES**

This matter came before Chairman Sara Kyle, Director Deborah Taylor Tate and Director Pat Miller of the Tennessee Regulatory Authority (the "Authority" or "TRA"), the voting panel assigned to this docket, at the regularly scheduled Authority Conference held on December 2, 2002, for consideration of the request for approval to continue to provide intrastate service ("Request"), filed by Buyers United International, Inc. ("Buyers United") on September 30, 2002.

On March 14, 2000, the Authority issued an Order in Docket No. 98-00313 granting Buyers United a Certificate of Public Convenience and Necessity ("CCN") as a provider of operator service and/or reseller of telecommunications services in Tennessee. On March 28, 2002, the Authority issued an Order in Docket No. 98-00313 revoking the authority of Buyers United to conduct business in the state of Tennessee as a public utility based on its failure to comply with Tenn. Code Ann. § 65-4-125.¹ Nevertheless, Buyers United continued to operate as a reseller without a certificate after March 28, 2002. Upon receiving notice that service by its underlying carrier would be discontinued,

¹ Tenn. Code Ann. § 65-4-125(j) requires "all telecommunications service providers subject to the control and jurisdiction of the authority," except those that own and operate equipment facilities in Tennessee with a value of more than five million dollars, to file with the authority "a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000). . . ."

Buyers United sought recertification as a reseller by the Authority.

The Request first came before Chairman Kyle, Director Tate and Director Miller at an Emergency Authority Conference held on October 3, 2002. Mr. Jonathan Marashlian, Esq., participated by telephone at the Emergency Authority Conference on behalf of Buyers United. Mr. Marashlian responded to questions from the Directors regarding Buyers United's notice of revocation of authority and compliance with certification requirements.

Based upon statements of Mr. Marashlian and the record in this matter, the Directors found that good cause existed to grant a temporary CCN to Buyers United until December 9, 2002. In addition, Buyers United was directed to proceed with all due diligence and speed to provide the Authority with all information necessary to review its request for recertification. The Directors also determined that Buyers United should not be excused from liability for any violations of state law or Authority rules and orders that may have occurred during the period that Buyers United operated as a reseller after its CCN had been revoked. Buyers United agreed to work with the Consumer Services Division of the Authority to address Buyers United's continued operation as a reseller after the revocation of its CCN.²

On November 8, 2002, Buyers United and the Consumer Services Division entered into a Settlement Agreement in Docket No. 02-01214. At a regularly scheduled Authority Conference held on November 18, 2002, Chairman Kyle, Director Tate and Director Miller, the voting panel assigned to Docket No. 02-01214, voted unanimously to approve the Settlement Agreement.

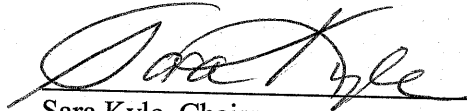
At the Authority Conference held on December 2, 2002, the voting panel assigned to this docket concluded that Buyers United has met all the requirements for certification and should be granted the authority to provide operator services and/or resell telecommunications services on an

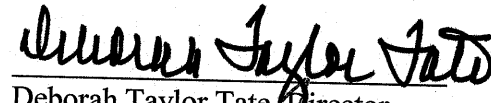
² Docket No. 02-01214, *In re: Alleged Violations Of Tenn. Code Ann. 65-4-125(J), 64-4-201 and Tenn. Comp. R. and Regs. 1220-4-2-.57(2) Against Buyers United, Inc.*, was opened on November 19, 2002 for the purpose of investigating and resolving the issues surrounding the allegations of continued operations.

intrastate basis and voted unanimously to approve the Request of Buyers United to continue to provide intrastate service.

IT IS THEREFORE ORDERED THAT:

1. The Request of Buyers United International, Inc. for approval to continue to provide intrastate service is approved.
2. Buyers United International, Inc. shall comply with all applicable state laws and TRA rules and regulations.
3. This Order shall be retained as proof of certifications with this Authority, and may be used to obtain appropriately tariffed service and billing arrangements from Authority authorized telecommunications service providers.


Sara Kyle, Chairman


Deborah Taylor Tate, Director


Pat Miller, Director